



CITY COUNCIL REDEVELOPMENT AGENCY AGENDA

**City of Westminster
Regular Meeting
June 16, 2004**

7:00 p.m. – Council Chambers

**8200 Westminster Boulevard
Westminster, California 92683**

**MARGIE L. RICE
MAYOR**

**ANDY QUACH
Mayor Pro Tem**

**FRANK G. FRY
Council Member**

**KERMIT MARSH
Council Member**

**RUSSELL C. PARIS
Council Member**

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I)

GENERAL INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the first and third Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. Adjourned Regular Meetings (Study Sessions) are tentatively held on the Monday following the first Wednesday of the month at 6:00 p.m.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

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PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Public Hearing portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

AGENDA

June 16, 2004

7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR
PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, QUACH, FRY, MARSH, PARIS

PRESENT:

ABSENT:

SALUTE TO FLAG: Council Member Paris

INVOCATION:

SPECIAL PRESENTATIONS:

- A. Promotional Ceremony for Police Sergeant
- B. Recognition of Jerome Catlin
- C. Arbor Day Participation Recognition
- D. Chamber of Commerce Annual Report and Report on Upcoming Events

AGENDA

June 16, 2004

1. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

APPROVAL OF MINUTES

- 1.1 **(City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of May 18, 2004.** (Marian Contreras)

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 **(City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.3 **Award of Contract for Installation of Prestressed Concrete Piles for the Westminster Community Cultural Center** (Brad Fowler)

RECOMMENDATION: That the City Council approve the award of contract to the low qualified bidder in the amount of \$413,930.00 to John S. Meek Company, Inc., that all other bids be rejected; and that the City Manager be authorized to execute the contract on behalf of the City.

- 1.4 **Renewal for purchase of Gasoline and Diesel Fuel for FY 2004-05** (Brad Fowler)

RECOMMENDATION: That the City Council authorize a purchase order for Fiscal Year 2004-05 with the low qualified bidder, Petro Diamond, for an additional year in an amount not to exceed \$265,000.00.

- 1.5 **Renewal of Professional Services Contract with Hugo Morales, Video/Audio Engineer, for FY 2004-05** (Penny Loomer).

RECOMMENDATION: That the City Council approve the contract with Hugo Morales in an amount not to exceed \$20,000.00 and authorize the City Manager to execute the contract on behalf of the City.

- 1.6 **Classification Specification – Senior Center Outreach Worker/Case Manager, Part Time** (Pat Corcoran)

RECOMMENDATION: That the City Council approve the classification specification for Senior Center Outreach Worker/Case Manager, Part Time.

AGENDA

June 16, 2004

1. CONSENT CALENDAR (Continued)

1.7 Purchase Order for Reimbursement of Orange County Probation Department Personnel Cost for FY 2004-05 (Andy Hall)

RECOMMENDATION: That the City Council approve a purchase order in an amount not to exceed \$35,000.00 for reimbursement of salary and benefits for the Orange County Probation Department personnel.

1.8 Renewal of police related blood test services with California Forensic Phlebotomy, Inc. for FY 2004-05 (Andy Hall)

RECOMMENDATION: That the City Council approve a purchase order be issued to California Forensic Phlebotomy, Inc. (CFP) for police related blood tests in an amount not to exceed \$24,000.00.

1.9 Renewal of Annual Maintenance Contract with Cyrun Corporation for FY 2004-05 (Andy Hall)

RECOMMENDATION: That the City Council approve a purchase order to Cyrun Corporation for Alliance PD Central software updates and maintenance in an amount not to exceed \$40,000.00 from Account No. 31000-44080.

1.10 Renewal of Annual Maintenance Agreement with Liberty IMS for FY 2004-05 (Andy Hall)

RECOMMENDATION: That the City Council approve the renewal of the LibertyNet Software Subscription and Support Agreement from Liberty IMS for their digital image management software updates and maintenance in the amount of \$15,519.00 from Account No. 31000-44080.

1.11 Purchase Additional Licenses for i2 Analysis Software via Domestic Violence Grant (Andy Hall)

RECOMMENDATION: That the City Council approve the purchase of additional software licenses for i2 analysis software from i2 Inc. as a sole source vendor in an amount not to exceed \$25,015.00 from Account No. 39930-47024.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.12 Resolution No. 3849 - A Resolution of the City Council of the City of Westminster rescinding Resolution No. 3705 and providing for a Compensation Plan for Part-Time Employees of the City of Westminster (Pat Corcoran)

RECOMMENDATION: That the City Council adopt Resolution No. 3849 which provides for a salary increase for Project SHUE Sr. Assistant I and II and Site Manager, and waive further reading.

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1. CONSENT CALENDAR (Continued)

WARRANT REGISTER

- 1.13 (City Council/Redevelopment Agency) Warrant Register dated May 29 through June 11, 2004 (Sheri Peasley)**

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.14 Minutes of the Planning Commission meeting held May 26, 2004 (Don Anderson)**

RECOMMENDATION: Receive and file.

- 1.15 Community Development Department Monthly Activity Report -- May 2004 (Don Anderson)**

RECOMMENDATION: Receive and file.

- 1.16 Financial Review Committee meeting held March 04, 2004 (Sheri Peasley)**

RECOMMENDATION: Receive and file.

- 1.17 Financial Review Committee meeting held May 13, 2004 (Sheri Peasley)**

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

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2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

- 2.1 The actions of the Planning Commission meeting held on June 9, 2004 (Don Anderson)**

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of June 9, 2004.

- 1) 9372 Westminster (Case No. 2004-25 Conditional Use Permit) for serving beer and wine at an existing restaurant (Nguyen Thuy Restaurant)
- 2) 15081 Beach Boulevard (Modification of CUP C-1000) for changing the existing restaurant to a banquet facility, extending business hours and modifying entertainment restrictions.

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3. PUBLIC HEARINGS

ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS: After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

3.1 REALLOCATION OF UNCOMMITTED HOME FUNDS UNDER THE FIRST-TIME HOMEBUYER PROGRAM (Bonny Lay)

Time set for a public hearing to discuss the reallocation of uncommitted 2001 and 2002 HOME Investment Partnership (HOME) funds to another eligible HOME housing activity.

RECOMMENDATION: That the City Council:

- 1) Reallocate the uncommitted funds (\$370,493.00) from 2001-02 and 2002-03 HOME Funds to provide financial assistance for the construction of a multi-unit condominium at 13931 Cedar Avenue, a property owned by the Westminster Redevelopment Agency, for sale to qualified low-income first-time homebuyers (not to exceed 80% of median income); and
- 2) Direct staff to send a Request for Proposal to interested developers, including non-profit organizations, for development of the said condominium.

4. ORAL COMMUNICATIONS

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

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5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Resolution No. 3848 - Memorandum of Understanding between the City of Westminster and the Westminster Police Officers Association (Pat Corcoran)

RECOMMENDATION: That the City Council:

- 1) Adopt Resolution No. 3848 entitled "A Resolution of the City Council of the City of Westminster providing for a Compensation Plan for Employees represented by the Westminster Police Officers' Association" to be effective July 1, 2003 and expiring on June 30, 2006;
- 2) Authorize a transfer of \$33,000.00 from Fund No. 740 (General Benefits Fund) to Fund No. 100 (General Fund); and
- 3) Approve a budget amendment of \$33,000.00 to Account No. 31000-40062 (General Police Services).

6.2 Appropriation of Traffic Impact Fee Funds for Phase 4 of the Traffic Congestion Monitoring Project (Brad Fowler)

RECOMMENDATION: That the City Council:

- 1) Approve the appropriation of \$222,161.00 to Project No. 55026-042600 to be reimbursed by Orange County Transportation Authority (OCTA), for FY 2003-04; and
- 2) Approve the appropriation of \$57,376.00 from the Traffic Impact Fee Fund balance to Project No. 55031-043100 for Phase 4 of the Traffic Congestion Monitoring project for FY 2003-04 fund match.

6.3 (Redevelopment Agency) Conveyance of Agency property at 13931 Cedar Street (Don Anderson)

RECOMMENDATION: That the Agency Board convey its property, at no cost, to a developer [to be selected by the Agency Board and City Council through the Request for Proposal (RFP) process] at a later date.

6.4 Appointment to Public Cable Television Authority (PCTA) Board of Directors (Penny Loomer)

RECOMMENDATION: That the City Council appoint a Council Member to serve as the second director on the PCTA Board of Directors representing the City of Westminster.

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7. WRITTEN COMMUNICATIONS (Public)

7.1 Waiver of Rental Fees/Community Services Building

RECOMMENDATION: That the City Council take under consideration a request from Westview Services, Inc. for waiver of fees for the use of the Community Services Building (East/West Room) on Wednesday, December 22, 2004 between the hours of 9 a.m. to 2 p.m. for a holiday party.

7.2 Waiver of Rental Fees/Community Services Building

RECOMMENDATION: That the City Council take under consideration a request from Friends of the Abbey Centre for waiver of fees for the use of the Community Services Building (East/West Room) on Thursday, October 14, 2004 between the hours of 6:30 p.m. to 10:00 p.m. for their Annual Meeting and Community Appreciation Night.

8. LEGISLATIVE ITEMS

8.1 Resolutions pertaining to the November 2, 2004 General Municipal Election (Marian Contreras)

RECOMMENDATION: That the City Council adopt:

- 1) Resolution No. 3844 entitled, "A Resolution of the City Council of the City of Westminster, California, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 2, 2004, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law cities", and waive further reading;
- 2) Resolution No. 3845 entitled, "A Resolution of the City Council of the City of Westminster, California, adopting regulations for candidates for elective office pertaining to candidates statements submitted to the voters at an election to be held on Tuesday, November 2, 2004", and waive further reading; and
- 3) Resolution No. 3846 entitled, "A Resolution of the City Council of the City of Westminster, California, requesting the Board of Supervisors of the County of Orange to consolidate a General Municipal Election to be held on Tuesday, November 2, 2004 with the Statewide General Election to be held on that date pursuant to Section 10403 of the Elections Code", and waive further reading.

9. COMMISSION AND COMMITTEE ITEMS

9.1 Resolution No. 3847 – Parking Restrictions on South Side of Bolsa Frontage Road, from Purdy Street to the East End of Bolsa Frontage Road - T.C. 79-116

TRAFFIC COMMISSION RECOMMENDATION: That the City Council adopt Resolution No. 3847 entitled, "A Resolution of the City Council of the City of Westminster providing for No Parking or Stopping on the South side of Bolsa Frontage Road from Purdy Street to East End of Bolsa Frontage Road", and waive further reading.

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9. COMMISSION AND COMMITTEE ITEMS (Continued)

9.2 Resignation of Agripino Toro from the Cultural Arts Commission (Mayor Rice Appointee)

RECOMMENDATION: That the City Council accept the resignation of Agripino Toro from the Cultural Arts Commission effective June 28, 2004.

9.3 Youth Committee appointments for a term ending June 30, 2005

RECOMMENDATION: That the City Council:

- 1) Consider reappointment of the five (5) current Youth Committee Members (listed on page 2 of staff report) for a term to expire on June 30, 2005; and
- 2) Select two Council Members to participate in an interview process of the new applicants and/or alternate members (listed on page 2 of staff report), to fill the four (4) regular member and four (4) alternate member positions that will become vacant on June 30, 2004.

9.4 Suggested Names for New Cultural Arts Center

CULTURAL ARTS COMMISSION RECOMMENDATION: That the City Council consider the suggested names for the Cultural Arts Center.

10. COUNCIL/AGENCY ADJOURNMENT

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.


Marian Contreras, City Clerk/Agency Secretary